PATENT COOPERATION TREATY

PCT

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

International application No. Priority data (day/month/year) Priority day/month/year)	Applicant's or agent's file refer	rence FOR ELIPTLIER AC	TION	DOTADEA (440	
International Patent Classification (IPC) or national classification and IPC		FOR FURTHER AC	See Form	PC1/IPEA/416	
International Patent Classification (IPC) or national classification and IPC INV. F01N3/025 F01N9/00 F01N3/08 F01N3/035 Applicant TOYOTA JIDOSHA KABUSHIKI KAISHA et al. 1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 36 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of 5 sheets, including this cover sheet. 3. This report is also accompanied by ANNIEXES, comprising: a sent to the applicant and to the International Bureau) a total of sheets, as follows: a sent to the applicant and to the International Bureau) a total of sheets, as follows: a sent to the applicant and to the International Bureau) a total of sheets, as follows: a sent to the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rediffications authorized by this Authority (see Flue 70.16 and Section 607 of the Administrative Instructions). sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filled, as indicated in item 4 of Box No. I and the Supplemental Box. b (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). 4. This report contains indications relating to the following items: Box No. II			,		
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/JP2005/004729

	Box No. I Basis of the report		
1.	With regard to the language, this report is based on		
	$oxed{\boxtimes}$ the international application in the language in which	ch it was filed	
	a translation of the international application into, wo of a translation furnished for the purposes of:	vhich is the language	
	 ☐ international search (under Rules 12.3(a) and 23 ☐ publication of the international application (under Rule international preliminary examination (under Rule internation) 	er Rule 12.4(a))	
2.	With regard to the elements * of the international application have been furnished to the receiving Office in response report as "originally filed" and are not annexed to this response.	e to an invitation under Article 14 are referred :	eets which to in this
¥(Description, Pages	and the state of t	· ·
	1-34 as originally filed		, t
	Claims, Numbers		
	1-14 as originally filed		*
	i:		•
	Drawings, Sheets		
	1/10-10/10 as originally filed	· · · · · · · · · · · · · · · · · · ·	
	☐ a sequence listing and/or any related table(s) - see	e Supplemental Box Relating to Sequence List	ing
3.	 ☐ The amendments have resulted in the cancellation ☐ the description, pages ☐ the claims, Nos. ☐ the drawings, sheets/figs ☐ the sequence listing (specify): ☐ any table(s) related to sequence listing (specify) 		
4.	□ This report has been established as if (some of) the had not been made, since they have been considered to Supplemental Box (Rule 70.2(c)). □ the description, pages □ the claims, Nos. □ the drawings, sheets/figs □ the sequence listing (specify): □ any table(s) related to sequence listing (specify)	ne amendments annexed to this report and list to go beyond the disclosure as filed, as indica	ed below ted in the
	* If item 4 applies, some or all of the	ese sheets may be marked "supersede	ed."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/JP2005/004729

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims

1-14

No:

: Claims

Inventive step (IS)

Yes: Claims

1-14

No: Claims

Industrial applicability (IA)

Yes: Claims

1-14

No: Claims

2. Citations and explanations (Rule 70.7):

see separate sheet

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (SEPARATE SHEET)

PCT/JP2005/004729

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D1: US4574589

1. The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and shows (see figure 1 and 3 and description column 3 to 6):

a regeneration controller for regenerating an exhaust purification apparatus that is arranged in an exhaust passage for an internal combustion engine, wherein the exhaust purification apparatus includes an upstream purification portion and a downstream purification portion, the regeneration controller comprising:

- a difference detector (14) for detecting at least one of a difference in exhaust pressure, between a first location upstream from the exhaust purification apparatus and a second location downstream from the exhaust purification apparatus, and a difference in exhaust temperature, between a third location upstream from the downstream purification portion of the exhaust purification apparatus and a fourth location downstream from the third location;
- a calculation section (10) for calculating an estimated accumulation amount of particulate matter in the exhaust purification apparatus;
- a heating control section (10) for heating the exhaust purification apparatus to eliminate the particulate matter from the exhaust purification apparatus when the estimated accumulation amount is greater than a reference accumulation amount; and

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (SEPARATE SHEET)

PCT/JP2005/004729

- a correction control section (10) for correcting the estimated accumulation amount in accordance with the engine conditions like its load and speed.
- 1.1. The subject-matter of claim 1 differs from this known regeneration controller in that it further comprises

a correction control section (10) for correcting the estimated accumulation amount in accordance with the at least one difference, when the estimated accumulation amount falls within a correction determination reference range due to the heating and the at least one difference is greater than a correction reference value.

- 1.2. The subject-matter of claim 1 is therefore new (Article 33(2) PCT).
- 1.3. The object of the present invention may be regarded as to provide a controller that minimizes the difference between the estimated accumulation amount and the actual accumulation amount of particulate matter.
- 1.4. The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) because none of the cited documents suggest to correct the accumulation amount during regeneration and based on the regeneration conditions, more specifically based on the heat brought to the filter. This solution allows to eliminate more accurately the particles.
- 2. For the same reasons as above, the independent claim 2 is also new and inventive.
- Claims 3-14 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.